IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39411 of 2008
RAM SEVAK SINGH SON OF LATE SURAJ SINGH @ SURYA NARAYAN SINGH, RESIDENT OF VILLAGE- SAKHMOHANPUR, POLICE STATION-BIBHUTIPUR, DISTRICT-SAMASTIPUR
Versus
STATE OF BIHAR
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2 01/10/2008 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in a case which has been registered under sections 302, 379, 120B/34 of the Indian Penal Code and section 27 of the Arms Act against ten accused persons including the petitioner.

Allegation is that in the night of the occurrence the informant's brother Birendra Prasad Singh and Ram Badan Singh @ Rajeev were shot dead. Allegation against the petitioner is that he ordered, thereafter, Rajiv Kumar fired shot by his pistol on Rambadan Singh. Ajay Singh fired upon Birendra Prasad Singh. Uday Jha also fired upon the informant's brother. The informant and others were also fired upon.

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Submission is that the petitioner is not the assailant rather the assailants are described in the FIR itself. The petitioner has been described to be the order giver.

Considering the facts and circumstances of the case, the petitioner Ram Sevak Singh is directed to be released on bail on furnishing of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.,

Rosera (Samastipur) in connection with Bibhutipur P.S. Case No. 109 of 2008.

avin **(Shyam Kishore Sharma, J.)**

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